

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES - Panchayat Raj & Rural Development Department - Allegations of irregularities in inviting tenders in Rural Water Supply works in the State against Sri B. Rajeswara Rao, Engineer-in-Chief, RWS & S, Hyderabad - Further action dropped - Orders - Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT(VIG.I) DEPARTMENT

G.O.Rt.No. 638.

Dated:21.03.2009.

Read:-

Vigilance Report No.111 (120/V&E/E1/2007, G.A. (Vigilance & Enforcement) Dept., dt. 18.07.2008.

ORDER:

The G.A. (Vigilance & Enforcement) Dept. having conducted enquiry into the allegations of irregularities in inviting tenders in Rural Water Supply works in the State, have furnished their report in the reference read above, recommending, among others, to call for the explanation of Sri B. Rajeswara Rao, Engineer-in-Chief, RWS & S, Hyderabad on the following irregularities and take action as deemed proper.

- i) Arbitrarily modified eligibility criteria; and
- ii) Adopted double standards in implementing clause 9 3 (d) of tender condition.

2. Government have examined the matter. Regarding allegation (i) above, it is observed that the administrative sanction for the CPWS scheme to Dharmavaram and 7 other habitations of Addanki (M) in Prakasam District for Rs. 2.25 crores was given vide G.O.Ms.No.105, PR & RD (RWS.II) Dept., dt. 19.04.06 and the technical sanction for the same was given on 18.08.06. Based on the assessment of need, the estimates and the eligibility criteria were finalized. 1st tender notice was given on 19.08.06 with appropriate technical eligibility. As there was no response to the 1st call, 2nd call tender notice was issued with some modifications to the scope of work and eligibility. As there was no response even to the 2nd call, the eligibility was further modified for the 3rd call. When that also failed, 4th call tender notice was issued on 30.04.2007 reducing, the scope of work further and the period of completion. The eligibility criteria was also accordingly adjusted. In view of the same, the modification of the eligibility criteria is not considered to be arbitrary given the prolonged lack of response for the work.

3. On the second issue, it is alleged that for Prakasam District, the ENC took one kind of decision whereas the decision was different in the case of Kurnool district though material facts were the same. It is observed that in the case of Prakasam District, a complaint was received in the ENC's office and also in the O/o the SE (RWS), Ongole against M/s. Srinivasa Engineering Company on 01.11.2006 about submission of false information. The SE, RWS, Ongole was immediately orally informed over phone by the ENC, to take into consideration the objections raised in the complaint while proceeding with the evaluation of the tender. Though the said oral

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instructions of the ENC, RWS&S, was initially ignored by the SE, RWS, Ongole in going ahead with the technical evaluation and opening of the price bid on 02.11.06, the SE reported on 27.11.06 suppression of information on the part of the bidder. The ENC, RWS&S, in his memo dt. 11.12.06 has directed the SE, RWS, Ongole to initiate action against the Company for submitting false information. Whereas in the case of Kurnool district in respect CPWS, Nandikotkur, a similar complaint was received by S.E., RWS&S, Kurnool against a tenderer, ENC apparently not done anything in this regard. It is observed that in this case of Kurnool, ENC (RWS) was completely ignorant of the complaint. The SE, Kurnool who received the complaint verified and taking into account all the facts recommended the tender for acceptance. The tender committee taking into consideration all aspects of the issue approved the tender also. In view of this, it is not valid to say that the ENC, has adopted double standard while implementing clause 9.3 (d) tender condition.

4. In the light of the above, Government after careful examination of the matter, have decided to drop further action against Sri B. Rajeswara Rao, Engineer-in-Chief, RWS & S, Hyderabad. Accordingly, further action in this regard sieges.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.SAHOO
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Engineer-in-Chief, RWS & S, Hyderabad, Hyderabad.

Copy to:

The G.A. (V&E) Dept.

(w.r.t. Vigilance Report No.111 (120/V&E/E1/2007), dt. 18.07.2008

The Secretary to Vigilance Commissioner, A.P.V.C., Hyderabad.

(w.r.t. Letter No.2519/VC.G1/2007, dt. 19.09.2008)

SF/SC

// FORWARDED:: BY ORDER //

SECTION OFFICER